

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/081723

Confirmation No.:

Applicant

BELEF et al.

Filing Date

February 21, 2002

Title

APPARATUS AND METHODS FOR DELIVERING A CLOSURE

DEVICE

Group Art Unit:

3763

Examiner

Unassigned

Docket No.

701879.18

Customer No.

34313

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Mail Stop Patent Application Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING (37 CFR §1.8)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Dated

Ly 2003

Signature of Person Mailing Documen

DOCSOC1:139732.1

Applicant Appl. No. Examiner Docket No. BELEF et al. 10/081723 Unassigned 701879.18

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

		INFORMATION DISCLOSURE OF ATEMENT I TEMOS TROVISION.					
\boxtimes	This I	DS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b),					
that is	(1) with	nin three months of the filing date of the application, which is not a continued					
prosec	cution a	pplication filed under § 1.53(d); or (2) within three months of entry of the national					
stage	as set f	orth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the					
merits	; or (4)	before the mailing of a first Office action after filing a request for continued					
exami	nation ເ	under § 1.114. Thus, no fee is required.					
		However, if the undersigned is in error in this regard, Applicant respectfully					
		requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if					
		applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit					
		account referenced below.					
	\boxtimes	However, if the undersigned is in error in this regard, Applicant respectfully					
		requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if					
		applicable, and a statement under 37 CFR § 1.97(e) is included below, thus					
		no fee is required.					
	This ID	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office					
action	on the	merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance					
under	37 CFF	R § 1.311.					
		The fee due under 37 CFR § 1.17(p) is submitted herewith.					
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is					
		required. In the event that this IDS is not received before a Final Action or a					
		Notice of Allowance, then Applicant respectfully requests that the Office					
		consider the filing of these papers to be submitted under 37 CFR § 1.97(d)					
		and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.					
П	This I	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37					
CFR §		or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue					
_		nent under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR					
		ubmitted herewith.					

Applicant Appl. No.

BELEF et al. 10/081723

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	STATEMENT UNDER 37 CFR § 1.97(e):						
\boxtimes	Each item contained in this IDS was first cited in any communication from a foreign						
paten	t office in a counterpart foreign application not more than three months prior to the filing of						
this IE	DS.						
	No item contained in this IDS was cited in a communication from a foreign patent office						
in a c	ounterpart foreign application, and, to the knowledge of the person signing this statement						
after r	making reasonable inquiry, no item of information contained in this IDS was known to any						
individ	dual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.						
	PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:						
· 🔲	A check in the amount of is enclosed for the above fee(s).						
	Please charge to Deposit Account No. 15-0665 for the above fee(s).						
\boxtimes	The Commissioner is authorized to charge any fees required by the filing of these						
paper	s, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account						
No. 1	5-0665.						
	Respectfully submitted,						
	ORRICK, HERRINGTON & SUTCLIFFE LLP						
	9,9						

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PTO/SB/08A (06-03)

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Substitute for form	1449A/PTO			Complete if Known		
OIPE			÷	Application Number	10/081723	
SINF	ORMATIO	N DISCLOSUR	E	Filing Date	February 21, 2002	
		BY APPLICAN		First Named Inventor	BELEF, et al.	
				Group Art Unit	3763	
G DANDELINER (U	se as many sh	eets as necessary)		Examiner Name	Unassigned	
Sheet	1	of	1	Attorney Docket Number	701879.18	

. .			U.S. PAT	ENT DOCUMENTS		
Examiner		U.S. Patent Document		Publication Date	Name of Patentee or	
Initials	Cite No.1	Number	Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	
	AA	5728114	A	03/17/1998	Evans et al.	
	AB					

				FOREIGN PAT	ENT DOCUMENTS		
Examiner		Foreign Patent Document			Publication Date	Name of Patentee or	- 6
Initials	Cite No.1	Country ³	Number⁴	Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	T°
# · · · · · · · · · · · · · · · · · · ·	BA	WO	01/35832	A2	05/25/2001	Scimed Life Systems, Inc.	
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Signature	C	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicants unique citation designation number (optional). ²See Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is govern by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.